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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,074	01/31/2001	Jian Fan	10006308	1799

7590 06/10/2005

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[REDACTED] EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
	2624

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09-774 074

EXAMINER

ART UNIT PAPER

20050524

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary	Application No.	Applicant(s)	
	09/774,074	FAN, JIAN	
Examiner		Art Unit	
Stephen M. Brinich		2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 December 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Response filed 12/30/04, with respect to the rejection(s) of claim(s) rejection of claims 1-4, 6, 9-12, 14, & 17-18 under 35 USC §102 and the rejection of claims 5, 7-8, 13, 15-16, & 19-20 under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration and in view of Applicant's amendment, a new ground(s) of rejection is made in view of Fall et al, Wood et al, Lermant et al and Bates et al.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-4, 6-12, & 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fall et al in view of Lermant et al or Bates et al.

Re claims 1 & 9, Fall et al teaches dividing the document into regions (column 10, lines 30-32), specifying a text layer for text in a plurality of the regions (column 7, lines 12-16), specifying a non-text layer for the plurality of the regions (column 7, lines 16-26), and identifying color information for the text in the text layers (column 14, lines 37-53; the

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method/apparatus receives input object and identifies its description data, including color).

Re claim 17, Fall et al discloses dividing the document into regions (column 10, lines 30-32), specifying a text layer for text in a plurality of the regions (column 7, lines 12-16), specifying a non-text layer for the plurality of the regions (column 7, lines 16-26), compressing the text layers using a first compression technique and compressing the non-text layers using a second compression technique (column 9, lines 14-20; each object data type (text and non-text) is compressed with an appropriate technique as determined by the selector 403), and storing the layers of each of the regions in a portable document format (column 6, lines 10-43 & column 13, lines 1-7).

Re claims 2 & 10, Fall et al further discloses compressing the text layers using a first compression technique and compressing the non-text layers using a second compression technique (column 9, lines 14-20; each object data type (text and non-text) is compressed with an appropriate technique as determined by the selector 403).

Re claims 3 & 11, Fall et al, further discloses an arrangement wherein a lossless compression method is used for the first compression technique and a lossy compression method is used for the second compression technique (column 2, lines

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32-40, the embodiment of the disclosure uses these known techniques of compression for specific object types to fix the problems associated with compression methods of the disclosed prior art, lines 25-30).

Re claims 4 & 12, Fall et al further discloses associating a color value with pixels in the non-text layers (column 14, lines 37-53; a defined color value is associated with pixels from an image layer).

Re claims 6 & 14, Fall et al further discloses storing the layers of each of the regions in a portable document format (column 6, lines 10-43 & column 13, lines 1-7).

Re claim 18, Fall et al further discloses using a lossless compression method for the first compression technique and a lossy compression for the second compression technique (column 2, lines 32-40; the embodiment of the disclosure uses these known techniques of compression for specific object types to fix the problems associated with compression methods of the disclosed prior art, lines 25-30).

Re claims 1, 7-9, 15-17, & 19-20, Fall et al does not disclose the specifying of the color of text and background in a given region.

Lermant et al (column 5, line 57 - column 6, line 2) or Bates et al (Abstract, lines 1-4) disclose the assignment of a

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color and background color to a text object (which inherently includes the setting of all text in that object as the same color).

Fall et al and Lermant et al or Bates et al are combinable because they are from the field of text-object document processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a text color property to the text layers of Fall et al. The suggestion/motivation for doing so would have been to enable a user to specify a desired color for text to be placed in a document.

Therefore, it would have been obvious to combine Fall et al with Lermant et al or Bates et al to obtain the invention as specified in claims 1-4, 6-12, & 14-20.

4. Claims 5 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fall et al in view of Lermant et al or Bates et al as applied to claims 1-4, 6-12, & 14-20 above, and further in view of Applicant's described Background Art.

Re claims 5 & 13, Fall et al but does not specify the use of red-green-blue (RGB) values for the pixels. However, the applicant discloses that the use of RGB values for pixels are

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known in the art at the time of the invention (Specification: page 4, line 4).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to describe the color information of Fall et al in RGB form. The suggestion/motivation for doing so would have been to enable the input and output of color image information in a commonly used format.

Therefore, it would have been obvious to combine Fall et al with Lermant et al or Bates et al and Applicant's described Background Art to obtain the invention as specified in claims 5 & 13.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

Stephen M Brinich
Examiner
Art Unit 2624

smb *SMB*
May 25, 2005



THOMAS D.
~~JOANNY~~ LEE
PRIMARY EXAMINER